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SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY

Monitoring the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities

Note by the Secretary-General

1. At its forty-eighth session, the General Assembly adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, contained in the annex to its resolution 48/96 of 20 December 1993. In paragraph 4 of that resolution, the Assembly requested the Secretary-General to promote the implementation of the Standard Rules and to report thereon to the General Assembly at its fiftieth session.

2. Since the adoption of the Rules, the following activities have been undertaken to promote their dissemination and understanding worldwide:

(a) Distribution of the Rules to Governments, specialized agencies and other organizations and bodies of the United Nations system in the six official languages of the United Nations;

(b) Encouragement of translation of the Rules into other languages. The Rules are also currently available in Czech, Danish, Estonian, Finnish, German, Hindi, Icelandic, Italian, Japanese, Korean, Slovak, Swedish and Tamil;

(c) Translation of the Rules into Braille in English, French, Italian and Spanish by the World Blind Union;

(d) Making the Rules available through the INTERNET.

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3. Attention is drawn in particular to the call for the promotion of the Rules, and the development of strategies for implementing them, in the Programme of Action adopted by the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995. 1/

4. Pursuant to section IV, paragraph 2, of the Rules, which envisages the appointment of a Special Rapporteur to monitor their implementation within the framework of the Commission for Social Development, the Secretary-General appointed to that position Mr. Bengt Lindqvist (Sweden). The Special Rapporteur, who is based in Stockholm, receives a substantial amount of support from the Government of Sweden (including office facilities and secretarial assistance). The Department for Policy Coordination and Sustainable Development has assisted the Special Rapporteur in carrying out the following activities:

(a) An address to the Third Committee of the General Assembly, in October 1994;

(b) Convening of the first meeting of the panel of experts to assist the Special Rapporteur in the implementation of the Standard Rules (New York, 15-16 February 1995);

(c) Attendance at several meetings, conferences and congresses in Africa, Asia and Europe;

(d) The mobilization of financial resources to support the work of the Special Rapporteur;

(e) Elaboration of a questionnaire which was sent to Governments, together with a note verbale introducing the Special Rapporteur and informing them about the monitoring exercise in connection with the Standard Rules;

(f) Preparation of a report for consideration by the Commission for Social Development at its thirty-fourth session.

5. Pursuant to section IV, paragraph 11, of the Standard Rules, the Commission for Social Development established an open-ended working group to examine the Special Rapporteur's report and make recommendations on how to improve the application of the Rules. On the basis of the work of the working group, the Commission adopted resolution 34/2 entitled "Monitoring the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities". 2/ In that resolution, the Commission took note with appreciation of the report of the Special Rapporteur and of his recommendations, and welcomed his general approach to monitoring, including the emphasis to be placed on advice and support to States in the implementation of the Rules. The Commission requested the Secretary-General to circulate the report of the Special Rapporteur as an official document of the General Assembly, at its fiftieth session, under item 107 of the provisional agenda.

6. The report of the Special Rapporteur, setting out in detail both the activities undertaken and recommendations for future action, is annexed to the present note, together with summaries of the submissions received in response to his questionnaire.

Notes

1/ Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995 (A/CONF.166/9), chap. I, resolution 1, annex II, para. 75 (k).

2/ Official Records of the Economic and Social Council, 1995, Supplement No. 4 (E/1995/24), chap. I, sect. E.

ANNEX

Report of the Special Rapporteur of the Commission for Social Development on monitoring the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities

In my capacity as Special Rapporteur for the monitoring of the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, I have the honour to deliver my first report to this Commission. I do it with some satisfaction, as the monitoring mechanism is now running fairly well. At the end of my report, I will present for your consideration some recommendations concerning the continuation of the monitoring exercise. These recommendations have to a large extent been worked out in close cooperation with the panel of experts now functioning as part of the monitoring mechanism. I am, however, also going to draw your attention to some problems, which we will have to deal with in order to make the remaining two years of this first monitoring exercise as effective as possible.

Before I enter into the discussion concerning the implementation of the Rules, I should like to offer you some comments on the general development of policy in the disability field.

BACKGROUND

The International Year of Disabled Persons was a great success in so far as it meant the international recognition of the human rights perspective in the disability field. Both the theme of the Year - full participation and equality - and the even more important World Programme of Action concerning Disabled Persons were important contributions in this respect.

Full participation and equality for persons with disabilities is a far-reaching and powerful message. It emphasizes a comprehensive disability approach, which takes into account all aspects of life and society. Rehabilitation, technical aids and other forms of personal support are necessary preconditions for good living conditions. But they are not enough. Even integration, that is, leaving institutions and living in an open society, is not sufficient. Full participation on equal terms is more than that. It means creating opportunities for real and meaningful participation and sharing in all the different spheres of society. This new dimension in disability policy focuses on the lack of attention to the needs of persons with disabilities and the shortcomings of society, which up to now have been prevailing conditions in all parts of the world.

An important contribution of the World Programme of Action in the clarification of disability policy is that the Programme structures disability policy in three main areas - prevention, rehabilitation and equalization of opportunities. Prevention and rehabilitation are already well-known areas. The third area, equalization of opportunities, is new and brings into focus the many obstacles to participation in our societies. Another important contribution of

the World Programme of Action is the emphasis on the involvement of organizations of persons with disabilities in matters concerning disability.

The International Year was a great success ideologically and meant important progress in the development of disability policy. This resulted in enthusiasm and high expectations in the international community. At the same time, the breakthrough in ideas created a considerable gap between the new and internationally adopted policy and the reality in which persons with disabilities lived. Neither the physical environment nor activities, services or information systems designed for the general population have been shaped with these needs in mind.

The expectations generated from the celebration of the Year have not been fulfilled. In the middle of the decade (1983-1992), international non-governmental organizations had already started to request stronger leadership from the United Nations in the implementation of the new disability policy. The new United Nations instrument in the disability field, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, was elaborated in response to that request for a stronger leadership.

STANDARD RULES - a new type of instrument

There are important differences between the Rules and the World Programme of Action:

(1) The Rules carry the development of the human rights perspective further. This is, to a large extent, due to the development that has taken place since the International Year in 1981.

(2) The Rules convey a much clearer message in the area of "equalization of opportunities".

(3) The language of the Rules is generally more concentrated and shorter in form than that of the World Programme. This makes the message of the Rules more obvious.

(4) The Rules generally address Governments of Member States directly, which is not the case in the World Programme.

(5) The implementation of the Rules will be actively monitored through a monitoring mechanism established especially for that purpose.

BUILDING A MONITORING MECHANISM

The Rules were adopted by the United Nations General Assembly in December 1993. During the spring of 1994, the Rules were translated into the official languages of the United Nations and distributed to Member States. In March 1994, the Secretary-General announced his intention to appoint me as Special Rapporteur, subject to my approval. However, the General Assembly did not allocate the necessary financial resources for monitoring through the regular budget of the United Nations. Instead, the Assembly declared that the work of the Special Rapporteur should be financed by extrabudgetary funds. My

reply to the Secretary-General took this into account. I said that I would be honoured to serve as United Nations Rapporteur in this context, if sufficient funding for a meaningful monitoring exercise could be secured. After having received assurance from the Government of Sweden that it would be willing to provide office facilities for the Rapporteur and after having received information that there were a number of other Governments that would be willing to contribute to the funding of the monitoring exercise, I accepted the appointment.

One interesting innovation in the monitoring mechanism of the Rules is the invitation by the United Nations to international organizations of persons with disabilities to establish among themselves a panel of experts to serve as an active part of the monitoring system. During the second half of 1994, Disabled Peoples' International, the International League of Societies of Persons with Mental Health, Rehabilitation International, the World Blind Union, the World Federation of the Deaf and the World Federation of Psychiatric Users decided to form this panel of experts. Budgetary constraints have limited the number of members of the panel to 10 persons. The panel consists of five men and five women, with various disabilities or experiences of disabilities, from all parts of the world. The panel members are: Monica Bartley (Jamaica), Joshua Malinga (Zimbabwe), Victor Wahlstrom (Sweden), Gabriela Fabila de Zaldo (Mexico), John Scott (New Zealand), Penny Hartin (Canada), William Rowland (South Africa), Liisa Kauppinen (Finland), Mohamed Sazali Shaari (Malaysia) and Mary O'Hagan (New Zealand).

Budget and funding

During 1994, a cost plan for the activities of the Special Rapporteur was prepared in cooperation with the Secretariat. Except for the contribution of the Government of Sweden concerning office facilities, which is being given in kind, the total cost for travel, the three meetings of the panel, fees for the Rapporteur and limited amounts for regional activities and professional assistance would amount to $581,000 for the entire three-year period. Up to the present time, $350,000 has been received or secured. The following countries have made voluntary contributions: Austria, Canada, China, Cyprus, Denmark, Finland, Japan, Monaco, Norway, Republic of Korea, Spain and Sweden. In addition, the United Nations Secretariat is supporting the monitoring exercise as part of its regular activities.

Though it is encouraging that so many countries have decided to contribute to the funding of the monitoring mechanism, there is still a serious shortage of funds. I would therefore appeal to other Member States, which have not already done so, to make voluntary contributions to this monitoring exercise, which is developing in a promising way.

Activities during the first year

First letter to Governments

In November 1994 a note verbale was sent to Member States, introducing the Special Rapporteur and informing them about the monitoring exercise in connection with the Standard Rules. A first letter from the Rapporteur to

Governments was attached to the note verbale. The letter included four general questions on the manner in which Governments and other interested entities in the countries received, promoted and began implementation of the Standard Rules. Member States were asked to reply before 15 February 1995. A reminder to Governments was sent out by the Secretariat shortly before the final date for replies. In addition, the 10 members of the panel of experts were asked by the Rapporteur to distribute the above-mentioned letter to their national organizations.

By 10 April, a total of 29 replies had been received. (Subsequently, by the end of July 1995, 13 additional replies were received.) Such a low response rate seems to correspond well with the earlier experience of the Secretariat concerning questionnaires to Member States on disability matters. With regard to those experiences, I invite the Commission to discuss the use of questionnaires to Governments as a tool in the current monitoring project.

Result of the questionnaire

As mentioned earlier, the letter from the Rapporteur to Governments included the following four questions:

1. What has been done to make the Rules better known to concerned bodies and organizations in your country?

2. How have the Rules been used to date, for instance, in connection with your legislation or other measures?

3. How do you plan to use the Rules?

4. In this first phase of monitoring, would your Government wish to receive more information or assistance to introduce the Rules?

A summary of country replies can be found in the appendix.

Rapporteur's activities, June 1994-June 1995

At the Disability Conference in Iceland in June 1994, the United Nations Secretariat announced that I would serve as Special Rapporteur-designate until the formalities in connection with the organization of the monitoring mechanism had been finalized. I participated in two meetings at the United Nations, in August and November 1994, to plan and organize the monitoring activities together with representatives of the Secretariat. The formal agreement between the Secretariat and me was finally signed in November, but runs from August 1994.

During the first phase of monitoring, my main function as Rapporteur was to make the Rules better known. I also discussed with international non-governmental organizations various possibilities of cooperation, methods for implementing the Rules and ways in which non-governmental organizations at various levels could cooperate with the Rapporteur and the United Nations Secretariat to achieve maximum results.

As Rapporteur, I participated in a large number of conferences and seminars organized by Governments and/or organizations. On all those occasions, I made speeches and participated in workshops and discussion groups. There was great interest in the contents of the Rules and the opportunities for development that they offer. The presentations of the Rules attracted large audiences and the discussions were intense.

First meeting of the panel of experts

The first meeting of the panel of experts was held from 15 to 17 February 1995 at United Nations Headquarters. All 10 members attended the first meeting. They were briefed on the progress of the monitoring project and on other United Nations activities in the disability field. The meeting focused on the future activities of the monitoring exercise. The panel of experts adopted a report containing a number of recommendations.

Future activities

Future activities are based on the guidelines set out in paragraph 1, section IV of the Standard Rules, as follows:

> "The purpose of a monitoring mechanism is to further the effective implementation of the Rules. It will assist each State in assessing its level of implementation of the Rules and in measuring its progress. The monitoring should identify obstacles and suggest suitable measures that would contribute to the successful implementation of the Rules. The monitoring mechanism will recognize the economic, social and cultural features existing in individual States. An important element should also be the provision of advisory services and the exchange of experience and information between States."

To summarize, the overall goal is to further the effective implementation of the Rules. The monitoring should also measure the level of implementation, identify obstacles and suggest suitable measures to remove them. Another important task is to provide advisory services and to promote an exchange of experience and information between States.

Again, regarding budgetary matters, the monitoring project was funded for rather limited activities. My time is shared between the task of Rapporteur and my work as a member of the Swedish Parliament. I have an excellent assistant on a half-time basis and, through the Swedish in-kind contribution, part-time professional assistance. I also benefit from the support and advice of both the panel and the United Nations Secretariat.

Should additional funding be provided, it is my intention to develop regional activities utilizing regional expertise. It is against this background that I will discuss the various future activities for the remaining two years of the monitoring project.

Measuring the level of implementation

As stated earlier, the response to the first letter to Governments was very disappointing. With better preparation, especially in obtaining the active cooperation of interested non-governmental organizations, it should be possible to get more replies. Though the response rate to questionnaires is traditionally low, it is clearly indicated in the monitoring guidelines that questionnaires to Member States should form an important part of the monitoring exercise.

Based on the recommendations of the panel of experts, it is my intention to send a second letter in 1995 to Member States concentrating on the following six strategically important areas: legislation (rule 15), coordination of work (rule 17), organizations of persons with disabilities (rule 18), accessibility (rule 5), education (rule 6) and employment (rule 7). The specialized agencies, especially the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization, will be consulted on the areas relevant to their mandates. Building on the experiences of the first two questionnaires, consideration will be given to devising a third set of questions before the end of the monitoring period.

The panel has also offered to serve as the evaluating body in this context. It has recommended the development of an index based on the Standard Rules. Therefore, the elaboration of the questionnaire and of such an index for structuring the replies must be coordinated.

In connection with the World Summit for Social Development, held at Copenhagen, the Danish organizations of persons with disabilities, in cooperation with the Nordic disability organizations, organized a conference on the development of a disability index. The idea was to develop such an index on the basis of the Standard Rules. In this way the international community would get an instrument to measure and compare development in the disability field both over a period of time and between countries. A first version of such an index was presented at the Summit. The discussion proved that there is considerable interest in such an index, especially among organizations. It also indicated that much work remains to be done before such an index can be integrated into the international evaluation activities. It is also obvious that the solution developed by the Danes is formed in such a way that it cannot be used to evaluate the implementation level in a single Rule area. If an index technique is desired in connection with the evaluation of an investigation of the kind recommended by the panel, we will have to develop our own solution for that purpose.

Identifying obstacles and suggesting measures to remove them

The most obvious contribution of the Standard Rules to disability policy is the concept of identifying and removing obstacles that prevent the full participation in society of persons with disabilities. For some groups and in some cases, such obstacles are easily identified. In other cases they are less tangible. The discussion of this topic in relation to the situation in developing countries is an almost untouched area. In this regard, I look to the Commission for advice and guidance.

It is important to use all available opportunities to discuss these matters with the representatives of both Governments and organizations. I intend to use the various seminars, congresses etc. in which I participate to bring this matter to their attention. I will also continue to encourage members of the panel of experts and representatives of organizations of disabled persons to contribute their innovative ideas to this process.

Advisory services

Countries are already asking for advice in implementing the Rules. The possibilities of assisting countries within the monitoring project are, of course, very limited. Nevertheless, it is important to respond positively to such requests, since one of the most important functions of the monitoring exercise is to create opportunities for development and cooperation. I would appreciate a discussion in the Commission on how such advisory services could be linked to the monitoring exercise. I firmly believe that we should seek cooperation with the specialized agencies, the United Nations Development Programme and other funding agencies to develop advisory or consultative services in the area of legislation and policy development.

One interesting idea is to develop "good country models" of implementation. The selection of the models can be based on a fair regional distribution, using the experiences of the regional commissions and other regional organizations.

Promoting an exchange of information

One of the most obvious results of the first letter to Governments is their request for information about how other countries have used the Rules. This is in itself a strong motive for continuing to send questions to Governments. High priority should therefore be given to compiling and distributing examples of good country models.

The replies to the first letter contain a number of interesting examples of what has been done or is being planned. As can be seen in the appendix, we have chosen to report country by country in order to make it easier for those interested in acquiring more information.

I invite the Commission to discuss how an exchange of information can best be promoted through the activities of this monitoring project. The discussion could concern both the ways in which results and findings are reported and special measures taken to stimulate and facilitate an exchange of information.

CONCLUSIONS AND RECOMMENDATIONS

In the first part of my report, I described the role of the Standard Rules in the development of policy and thinking in the disability field. I also indicated the reasons why this instrument was elaborated and why it is important to achieve results in the implementation of the Rules.

I also described the way in which the monitoring mechanism has been built up by the Secretariat during 1994 and the efforts made to find sufficient funding for the activities.

In the second part of the report, I discussed the activities of the first year of the monitoring exercise.

In the third section, I reported on the various tasks of the monitoring project. As we have limited resources, it is important to discuss various possible activities with the funding situation in mind.

The Rules are being introduced in a large number of countries. They already play an important role in influencing policy and thinking both internationally and at the national level. However, much remains to be done to implement the Rules - especially the role and use of the Rules in developing countries.

Now, I would like to make some recommendations for the consideration of the Commission. Some of them are concrete suggestions for the continuation of the monitoring exercise. In some cases, I seek the advice and experience of the Commission in order to improve policy and action.

Recommendations

1. As a general approach to the monitoring, emphasis should be placed on advice, support and encouragement rather than on measuring, comparing and controlling.

2. In the future, the major emphasis in the monitoring activity should be on assisting developing countries in their implementation efforts.

3. Although the overall goal of the monitoring activity is to implement all the Rules, the monitoring efforts during the remaining two years should concentrate mainly on the following six areas: legislation (rule 15), coordination of work (rule 17), organizations of persons with disabilities (rule 18), accessibility (rule 5), education (rule 6) and employment (rule 7).

4. In these six areas, measurable goals (or indicators) should be derived from the contents of the Rules.

5. The Rapporteur should distribute a second letter to Member States, making in-depth inquiries in the first four areas: legislation, coordination, organizations of persons with disabilities and accessibility.

6. Concerning the survey in the areas of education and employment, the Rapporteur should consult with the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization in their respective fields.

7. The possibility of using a simple index technique in the evaluation of the results from this second questionnaire should be considered.

8. The offer made by the panel of experts to perform the evaluation of the survey should be accepted.

9. International disability organizations (especially those constituting the panel of experts) should be invited to participate in the survey. Their national members could remind Governments to reply. They could reply themselves or, if possible, comment on the replies of their Governments.

10. The Commission is invited to discuss what could be done to improve the response rate from Governments.

11. Efforts should be made by the Secretariat and the Rapporteur to involve the specialized agencies and the regional commissions in the implementation of the Rules. Among other things, the following measures should be considered:

(a) A letter with general questions, similar to those contained in the first letter to Governments, should be sent to these entities;

(b) The inter-agency meetings on disability should be reopened by the Secretariat in order to exchange information, coordinate measures and explore the possibilities of joint action;

(c) International non-governmental organizations should be invited to participate in the inter-agency meetings;

(d) Inter-agency meetings should also be held at the regional level.

12. When Member States ask for more extensive advisory services, the Rapporteur should seek the cooperation of the Secretariat, the United Nations Development Programme, the specialized agencies, the regional commissions and other agencies in the field of technical cooperation. Measures to encourage cooperation between the Rapporteur and these agencies should be developed.

13. The Commission should consider encouraging the development of regionally distributed "good country models", which, during a later stage in the monitoring exercise, could be used for reference.

14. In response to the requests from Member States, good examples of measures should be registered for publication towards the end of the monitoring period.

15. The Commission is asked to consider further measures to stimulate the exchange of experience and information between countries.

16. Further measures to promote awareness-raising in connection with the Rules should be considered. Among those measures, the following are recommended:

(a) The wider circulation of the Standard Rules;

(b) A broad circulation of the brochure on the Standard Rules;

(c) The distribution of a list of United Nations documents that could support the implementation of the Rules;

(d) A request to international non-governmental organizations to circulate their support material;

(e) The design of a poster on the message of the Rules, to be made available for awareness campaigns.

17. The Commission should consider the funding situation and suggest measures to secure the necessary resources for the monitoring activities. Among other things, the Commission is asked to consider the possibility of reopening the discussion on funding the monitoring mechanism through the regular budget of the United Nations.

APPENDIX

Summaries of replies from Governments to the questionnaire of the Special Rapporteur of the Commission for Social Development on the Implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities

Argentina

At a regional meeting for Latin America regarding national legislation and programmes for disabled persons in 1994, the Governments of the region discussed possibilities for applying the Standard Rules. The Rules will serve as a fundamental guide in the creation of basic jurisprudence, providing an opportunity for affirmative action programmes.

The Government of Argentina developed a Plan of Action for 1994-1995, the application of which was evaluated by the Third Argentinean Congress on Disability, held at Buenos Aires in December, with the participation of 1,700 persons. The Standard Rules were disseminated by the Argentinean Federation for the Mentally Disabled.

The experience gained during the United Nations Decade of Disabled Persons has shown the way for pursuing the application of the equalization of opportunities under the Standard Rules. Furthermore, the rights of persons with disabilities, embodied in international instruments, are complemented by the rights and guarantees recognized in the National Constitution, recently reformed in 1994.

Argentina has a national commission that assists the Government in integrating disabled persons into society by studying the special needs of persons with disabilities. The commission includes representatives from various areas of the Government and works in collaboration with non-governmental organizations.

Australia

A considerable amount of work has been done to make the Rules known to authorities, agencies and organizations. The Rules are often referred to in federal documents.

A handbook for regional use on how to plan and design an accessible environment has been elaborated. During the drafting of the Rules, drafts were being used as a basis for new federal legislation, for example, the Disability Discrimination Act (1992). A disability strategy has also been elaborated after consultation with non-governmental organizations, staff and other concerned groups.

The Australian Disability Council has a key role in the monitoring and further development of the strategy. A national campaign has been launched in support of the strategy.

The Australian Government welcomes more information, especially practical examples from other countries.

Austria

In December 1992 a policy was adopted by the Austrian Government which, to a large extent, coincides with the Rules.

Concerning future activities, Austria will endeavour to incorporate the principles of the Rules in new policy.

Belarus

The Republic of Belarus pays considerable attention to the problems of persons with disabilities and undertakes a number of measures for their protection, including legislation on the prevention of disability and rehabilitation of persons with disabilities, which aims at protecting the rights and freedoms of disabled persons. However, the difficult economic situation in Belarus constitutes a major obstacle for funding disability programmes.

The International Day of Persons with Disabilities, on 2 December 1992, was also proclaimed the Day of Persons with Disabilities of the Republic of Belarus.

The Republic of Belarus would like to receive information on the implementation of the Rules in other States.

Benin

The Government of Benin plans to elaborate a strategy in order to introduce the Rules and to speed up their implementation. The Government works in cooperation with the African Rehabilitation Institute. The Government would like to receive more information.

Bolivia

The Rules have been handed over to a group of disability advocates. New legislation concerning persons with disabilities will be elaborated, in cooperation with all concerned. Several of the paragraphs in the Rules will be used in the new law. The Government of Bolivia would welcome more information.

Colombia

The Rules were presented at a meeting in November 1994. In January 1995 a plan of action was adopted. The national Constitution of 1991 includes several paragraphs on the rights and needs of persons with disabilities. The Government would like to use the Rules and a seminar will be organized to promote them. Various ministries are being informed about the Rules. The Government would like to receive more information.

Cyprus

The Standard Rules have been translated into Greek and distributed to the Organization for Disabled Persons, to Social Partners and to other interested government services.

The Standard Rules and the World Programme of Action have served as guidelines for the development of government policies for disabled persons and have helped to provide a framework for disability legislation.

The Government is interested in obtaining information on how other countries have used the Rules in national legislation, particularly in the European Union.

Denmark

The Rules have been translated and presented at a press conference in 1994. Copies of the Rules have been distributed to ministries, Parliament and regional and local agencies. The Danish Council of Organizations of Disabled People distributed 1,500 copies of the Rules to its members. The Danish translation of the Rules is also available on tape and in Braille.

In April 1993, a resolution was adopted, recommending that both public and private sectors comply with the principle of equal treatment of disabled and non-disabled citizens. An Equal Opportunity Centre for Disabled Persons was established.

Communication and information are considered important and some 100,000 Danish kroner has been allocated for information purposes.

Estonia

The Estonian Disabled Person's Board had the Rules translated into Estonian and widely distributed, including at the provincial and local levels. In December 1994, a workshop on the Rules was organized. The Government plans to hold an electronic-mail conference, at which one theme will be the Rules.

At present, a special commission is drafting an Estonian policy based on the Rules. The Estonian Foundation of Disabled People was formed in 1994. Its main purpose is to fund programmes and projects to integrate persons with disabilities and increase their independence. The Foundation receives 49 per cent of gambling taxes from the State budget.

Finland

The Rules have been translated into Finnish and distributed to disability organizations and regional and local authorities.

The Finnish National Council on Disability, which is a coordinating body in accordance with the principles of the Rules, has started to draft a Finnish policy based on the Rules. On two occasions during 1994 the National Council on

Disability launched information programmes on the Rules. The Finnish Government would like to maintain close contact with the Special Rapporteur.

Germany

The translation of the Rules into German will soon be completed and will be published as a brochure. The principles of the Rules correspond well with German legislation on rehabilitation.

Ghana

The Government of Ghana is committed to ensuring the mainstreaming of persons with disabilities into the economic, social and political life of Ghana. Towards that end, the Government has established a National Advisory Committee on Rehabilitation Policy, whose terms of reference are based on the Standard Rules, the Salamanca Statement and the Framework for Action on Special Needs Education.

The 1992 Constitution of Ghana meets the necessary provisions for most of the requirements of the Standard Rules. The Government has proposed a bill for the enactment of the Disabled Persons Act, fully addressing the legal elements of the Standard Rules. The Government also intends to publish the rules to raise the awareness of the community and make society accessible to persons with disabilities.

Iceland

The Rules have been translated into Icelandic and distributed to concerned authorities and organizations.

The Rules have already been used to improve services.

The Government would appreciate additional information.

Iraq

The Rules are well in keeping with national legislation.

the Ministry of Labour and Social Affairs has the main responsibility for disability policy.

The Government of Iraq considers that paragraphs 2 and 3 of rule 9 should be deleted as they do not correspond with Islamic law and Arab tradition.

It is important to designate an international organization to study experiences in different countries and to give advice to other countries.

Iraq has long experience in disability services of various types, particularly with reference to employment.

Luxembourg

The Ministry of Family and Solidarity has disseminated the text of the Rules to interested parties in order to increase awareness and sensitize the public to the problems of disabled persons.

On 30 July 1993, the Government adopted a national programme concerning disabled persons.

Malaysia

The Rules have been circulated to all bodies and organizations. They have been used as a guide to introduce and implement programmes and other measures to improve the socio-economic status of persons with disabilities. These include a 1 per cent minimum quota of public sector jobs reserved for persons with disabilities, and amendments to building codes to improve access.

In the future, the Rules will be effectively implemented in all relevant sectors. The Government of Malaysia wishes to receive more information and assistance in introducing the Rules.

Mexico

The Government of Mexico has approved a national programme on disability and has created a National Coordinating Commission.

Five federal laws have been modified during the past two years.

The Rules constitute the framework and recommendations for the present administration.

Morocco

The Rules have been distributed to all concerned organizations and institutions. They have been used in awareness-raising campaigns. An international seminar was held in December 1994. A High Commissioner on Disability was appointed in March 1994 in order to ensure integration of disabled persons into society.

A large number of specialists participated in the international seminar on equality for persons with disabilities, at which the Rabat Declaration was adopted.

Two new laws, one on the visually impaired and the other on the protection of disabled persons from discriminatory treatment, have recently been enacted.

A plan of action will be elaborated in cooperation with ministries, the private sector and national organizations and in consultation with international bodies.

The Government of Morocco would appreciate information from other countries.

Netherlands

The Rules have been translated into Dutch and distributed to ministries, Parliament, various organizations and the media.

The Rules can be seen as a frame of reference for policy development. They correspond well with the approach taken in Dutch legislation and practice.

At present, an Action Plan on Care for Disabled Persons is being elaborated on the basis of the Rules. A long-term programme for the coordination of disability issues is being drafted for the years 1995-1998.

New Zealand

The Standard Rules have been given to the Ministry of Health and the Department of Social Welfare, both of which have responsibility for providing policy advice and maintaining income levels for people with disabilities. In addition, the Assembly for People with Disabilities has disseminated the Rules to interested disability-related entities in New Zealand.

The Rules have been used in promoting the need for a government strategy to ensure that people with disabilities have equal opportunity to access state services. Also, the Rules have contributed to the ongoing conceptual development regarding a definition of disability support services.

The Government would be pleased to receive any further information regarding the Rules.

Norway

The Rules correspond with the overall political goals of the Government's action plan. Each ministry is responsible for implementing the Rules within its area of responsibility. The Ministry of Health and Social Affairs is responsible for coordination.

A special committee of state secretaries has been appointed to deal with policy relating to disabled persons.

A National Council on Disability has been established which, among other things, will present proposals to the ministries and monitor the implementation of the Rules.

The Government of Norway is interested in receiving further information on the way the implementation of the Rules is being effected internationally and in individual countries.

Peru

The Rules have been distributed to concerned ministries, organizations and institutions in the disability field. The Rules will be incorporated in ongoing activities. The implementation of the Rules will, to a large extent, depend on the availability of resources.

The Government is interested in additional information, especially from other countries in the region.

Philippines

The Government is currently distributing copies of the Rules to all concerned. A conference will be organized for staff within the National Council for the Welfare of Disabled Persons and the Ministry. They will be responsible for distributing information to the 15 regions of the country.

The Government is elaborating a Magna Carta for Disabled Persons which is well in keeping with the Rules.

The Disability Unit in the Ministry has used the Rules in formulating its Plan of Action for 1995.

The Rules will be used as guidelines when planning policy both locally and regionally. Non-governmental organizations will be represented in this process.

The Government would appreciate information and assistance in introducing and interpreting the Rules.

Romania

The Standard Rules were disseminated by radio and television and at meetings of disability organizations.

The State Secretariat for Disabled Persons has regular meetings with non-governmental organizations. Most of the Rules are included in a law concerning the protection of disabled persons. The institutions for children have been reformed.

The Rules will be used to improve legislation, encourage early detection, increase the degree of independence of disabled persons, and initiate vocational training programmes.

The Government would appreciate more information about activities in other countries and monitoring mechanisms.

Russian Federation

A Russian club named "Adventure" held a marathon for disabled persons in 1994. The marathon adopted the United Nations slogan "Society for All", from the Decade of Disabled Persons. This event helped strengthen relationships between the people of the Commonwealth of Independent States and the Baltic States and was a valuable contribution to the plans and programmes for disabled persons.

Slovakia

The Government of Slovakia printed 2,500 copies of the Standard Rules and disseminated them throughout the country, including to governmental and non-governmental organizations and health and educational institutions. The Rules were published in newspapers and magazines for disabled persons.

The Government is interested in integrating the Standard Rules into new legislation. The Government wishes to improve the integration of disabled persons into society and has discussed establishing a "project for the coordination of activities for the integration of disabled people in everyday life in every district". The project is expected to become an instrument for local policy-making.

Although the Government abolished the Committee for Disabled Persons in 1995, it hopes to establish another coordinating body. In previous years, this Committee, consisting of governmental and non-governmental organizations and disabled persons, strove to enable disabled persons to take part in the community and to have the right to education, employment and housing.

Slovenia

The Standard Rules have been translated into Slovenian and distributed to relevant ministries, organizations for the disabled and institutions responsible for developing national legislation on disability issues. The Government plans to publish and distribute the Rules to local communities to assist them in developing local policy.

The Government plans to modify and amend the existing legal framework which impedes or prevents the full participation and equal status of disabled persons within society. The Government also intends to amend legislation concerning housing and construction policy to assist disabled persons in acquiring housing and to introduce provisions for removing architectural barriers.

The Rules will serve as a guide for developing employment policies for persons with disabilities. Additionally, the Rules will serve as a reference for the drafting of national programmes on social welfare for disabled persons.

The Government would like to be updated on the activities of the Commission for Social Development regarding the implementation of the Rules in other countries.

South Africa

The Government has put considerable effort into creating a National Coordinating Committee on Disability and developing a network of committees in the areas of prevention, rehabilitation and equal opportunities. The goal is to undertake a total review of legislation and services in the disability field. This should help professionals develop skills based on the Rules.

The Government would appreciate more information.

Spain

The Rules have been widely distributed among professionals of the National Institute for Social Affairs, with a view to their consideration within the framework of the concepts, planning and management of policies for disabled persons. The Rules have been taken into consideration within the framework of the plan of action for the integration of disabled persons and will be used as a reference for future actions of the Institute.

The Government of Spain would be interested in receiving additional information on the development and impact of the Rules in other countries.

Sri Lanka

The Rules have been translated into Sinhalese and distributed to all concerned authorities and institutions.

Legislation on the establishment of a National Council on Disability has been drafted, with disability organizations represented at all levels.

The Government would appreciate additional information.

Sweden

A disability ombudsman was appointed in 1994. The ombudsman will ensure that disabled persons are not treated unfavourably, will serve in an advisory capacity and scrutinize and evaluate current legislation. The Government considers it important to take measures to develop general accessibility and responsibility in various parts of society.

The Rules have been translated into Swedish. The Government has allocated 10 million Swedish kronor for disseminating information about the Rules.

The Government welcomes the proposal in the White Paper on European Social Policy to prepare an appropriate instrument endorsing the United Nations Standard Rules.

Switzerland

The Rules will be translated into German. They have been distributed to disability organizations. The Rules, which have just recently been introduced, have not yet had any concrete effect at the federal or regional level. Disability organizations will consider how the Rules can be used in various contexts.

The Swiss Government would appreciate additional information about how the Rules are used in other countries.

Syrian Arab Republic

The Government of the Syrian Arab Republic has fully agreed to the Standard Rules on the condition that these Rules do not contradict Islamic law. So that the Rules can be better known, the Ministry for Social Affairs and Labour will disseminate them to the competent authorities for implementation. The authorities will study legislation in order to update it in accordance with the Rules, provided that the Rules do not contradict public legislation.

In the future, the ministries will include in their related five-year plans, new projects that will comply with the Rules, keeping within affordable resources.

In due course, the Syrian authorities will seek any needed assistance or information.

Trinidad and Tobago

During 1993, a committee consisting of representatives from government and disability organizations elaborated a draft policy on the basis of the Rules. The committee has continued to formulate a plan of action. Measures have been taken to raise awareness.

It has been proposed that a National Coordinating Committee be established during 1995, to be followed by a disability unit in 1996, which would function as the secretariat of the Committee.

Copies of the Rules and the policy statement will be distributed.

The Government would appreciate information about activities in other countries.

Turkey

The National Coordinating Committee, established in 1981, has translated the Rules into Turkish and distributed them to concerned institutions and organizations. The Rules are on the Committee's agenda.

General policy on the Rules will be included in the five-year plan, which is currently being drafted. The intention of the Government is to include the Rules in discussions with institutions and organizations.

Efforts to eliminate physical obstacles will be increased. Personnel and families will be trained and statistics will be collected through a database.

The Government would like additional information.

United Kingdom of Great Britain and Northern Ireland

Concerned ministries have been informed about the Rules and the Rules have also been distributed to concerned organizations.

The Rules have been scrutinized and concerned ministries will take account of the principles.

United States of America

The Standard Rules have been incorporated into recommendations made to the President and Congress by the National Council on Disability, an independent federal agency that works to increase the inclusion and empowerment of persons with disabilities.

During the past 20 years, the United States has passed legislation, which embodies many of the principles articulated in the Standard Rules, including the Rehabilitation Act of 1973, which contains non-discrimination provisions for promoting equality and opportunities for persons with disabilities. The Act also includes provisions for the hiring and advancement of employees with disabilities in the Federal Government and affirmative action plans for federal contractors. Recommendations by the National Council on Disability led to the Federal Government passing the Americans with Disabilities Act of 1990, creating a wide range of civil rights that prohibit discrimination against people with disabilities.

Information submitted by non-governmental organizations

China

China Disabled Persons' Federation

Brochures in Chinese have been printed and distributed throughout the country. The message of the Rules has been made known through the media. The Rules are often used for reference. The present Chinese legislation is in accordance with the Rules. Two inspection tours have been made to monitor the implementation of the Rules. China has a five-year programme on disability, in which most areas of the Rules are included.

Brochures will be distributed at the grass-roots level. The Rules will be incorporated in the formulation of the next five-year programme. The main target in that five-year programme will be poverty relief in the market economy, especially for the poorest citizens.

China would like to exchange information with the United Nations and with other countries concerning the implementation of the Rules.

France

Union nationale des associations de parents et amis de personnes handicapées mentales - National Union of Associations of Parents and Friends of Persons with Mental Deficiency (UNAPEI)

Paragraph 7 of rule 7 states that "the aim should always be for persons with disabilities to obtain employment in the open labour market. For persons with disabilities whose needs cannot be met in open employment, small units of sheltered or supported employment may be an alternative".

In our capacity as representatives of persons with mental deficiency in France, we are of the opinion that there should be an adapted response to each type of disability. One must be realistic, and restrictive as well as mistrustful attitudes towards sheltered workshops may lead to the exclusion of persons with mental deficiency; for a great number of those persons, access to specialized structures is the way to greater inclusion. Our aim is to temper exchanges of views in international organizations where theory does not necessarily correspond to reality.

India

National Forum for Welfare of the Mentally Handicapped

The Ministry of Welfare will print the Rules in Hindi and distribute them throughout the country. At the government level, the question of translating the Rules into other vernacular languages is being discussed.

The Government has prepared comprehensive legislation.

The National Council for the Welfare of the Handicapped will be encouraged to discuss the Standard Rules and to use them for policy development.

Israel

Akim Israel - National Association for the Habilitation of the Mentally Handicapped

In reply to the questions of the Special Rapporteur, Akim Israel has made an extensive account of the various programmes in Israel for disabled persons, especially for the mentally handicapped.

South Africa

S.A. Federation for Mental Health

The Rules are well known at the government level and in disability circles. The National Coordinating Committee on Disability was formed in 1993. Its main objective is to implement the Rules. At present, disability policy and legislation are being updated. Non-governmental organizations participate in this process. The Rules will mainly serve as criteria regarding how change can be monitored. The Committee is in close touch with the United Nations and Rehabilitation International but welcomes information and advice.